



Attorney's Docket No.: 06317-038001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donald W. Petersen et al. Art Unit : 1651
Serial No. : 09/327,761 Examiner : J. Witz
Filed : June 7, 1999
Title : BONE GRAFT SUBSTITUTE COMPOSITION

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAR 09 2004

NOTICE OF APPEAL

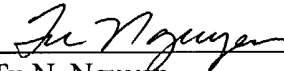
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the action dated September 3, 2003, finally rejecting claims 2, 3, 12-21 and 35-38.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month to and including March 3, 2004 is enclosed.

A check in the amount of \$330 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: March 3, 2004



Tu N. Nguyen
Reg. No. 42,934

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20816543.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 3, 2004

Date of Deposit



Signature

Sherry L. Hunt

Typed or Printed Name of Person Signing Certificate

03/08/2004 AWONDAF1 00000112 09327761

01 FC:1401

330.00 OP